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AUG 29 2008

In re Application of:

ALVAREZ-CALDERON F., Alberto

Application No.: 09/672,190

Filed: September 28, 2000

Attorney Docket No.:

LETTER RE
DECEASED ATTORNEY

Pursuant to our telephone discussion on Monday, August 25, 2008, your sole principal attorney Adam H. Jacobs (Reg. No. 37,852) died on May 30, 2008. Notice of Mr. Jacobs' death was received by the United States Patent and Trademark Office (USPTO) on or about August 25, 2008.

As discussed in Section 406 of the Manual of Patent Examining Procedure (MPEP), the power of a principle attorney will be revoked or terminated by his or her death. Once the USPTO has received notice of the death of a principal attorney, correspondence is held with the applicant or assignee who originally appointed the deceased principle attorney. Since you empowered Mr. Jacobs to act on your behalf, the USPTO has changed the correspondence address to reflect your above address, the correctness of which you confirmed during our discussion. As such, all correspondence will now be mailed to you at the above address until a new attorney or agent has been empowered and all appropriate papers have been filed establishing a new correspondence address.


On July 25, 2008, the USPTO mailed a Notice of Allowance and Fee(s) Due (hereinafter "Notice of Allowance") and attached papers to Mr. Jacobs at the correspondence address of record at that time. The Notice of Allowance mail to Mr. Jacobs, as discussed, was returned to the USPTO with a notice of his death. The Notice of Allowance and attached papers that were returned to the USPTO are enclosed with this Letter for your records.

The Notice of Allowance set forth a non-extendible three month statutory time period, from the July 25, 2008 mailing date of the Notice of Allowance, to pay the requisite \$720.00 Issue Fee. The deadline for payment of the \$720.00 Issue Fee continues to be October 27, 2008, which was also discussed. Failure to pay the Issue Fee on or before October 27, 2008 will result in abandonment of the application.

Also accompanying this Letter is a courtesy copy of a Notice to File Corrected Application Papers (hereinafter "Notice") mailed by the USPTO on August 26, 2008 to Mr. Jacobs at the correspondence address of record at that time. This Notice sets forth a non-extendable two month time period to correct the informalities identified therein. More specifically, the Notice includes an attached Identification of Drawing Deficiencies identifying that (1) all the drawings are marred by black smudges, obliterations, or fax/copier marks, which may include for example, speckles or dots in a substantial portion of the drawings; and (2) all of the figures include poor lines, numbers, and letter. In order to avoid abandonment of the application, new drawings correcting the informalities in the Notice and Identification of Drawing Deficiencies must be filed on or before October 26, 2008.

Telephone inquiries relating to this Letter should be directed Brian W. Brown at (571) 272-5338.

Telephone inquiries relating to the Notice to File Corrected Application Papers mailed August 26, 2008 should be directed to Don Fairchild of the Office of Data Management at (703) 308-9250, ext. 126, as set forth therein.



Brian W. Brown
Petitions Examiner
Office of Petitions

Enclosures: Notice of Allowance and attached papers, mailed July 25, 2008, 4 pages
Notice to File Corrected Application Papers, mailed August 26, 2008, 3 pages